

05-23-01

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Frederick P. Fish  
1855-1930

W.K. Richardson  
1859-1951

May 22, 2001

Attorney Docket No.: 00637-025001

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new patent application claiming priority from a provisional patent application of:

BOSTON  
DALLAS  
DELAWARE  
NEW YORK  
SAN DIEGO  
SILICON VALLEY  
TWIN CITIES  
WASHINGTON, DC

Applicant: JOHN H. WESTERBEKE, JR.

Title: CONTROLLING EXHAUST TEMPERATURES

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	7
Claims	3
Abstract	1
Declaration	2 [To be Filed at a Later Date]
Drawing(s)	6

Enclosures:

- Small entity statement. This application is entitled to small entity status.
- Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
- Postcard.

Under 35 USC §119(e)(1), this application claims the benefit of prior U.S. provisional application 60/206,050, filed May 22, 2000.

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL 856747630US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D C 20231.

Date of Deposit

May 22, 2001

Signature

Typed or Printed Name of Person Signing Certificate

*Samantha Bell*  
*Samantha Bell*

FISH & RICHARDSON P.C.

Commissioner for Patents  
May 22, 2001  
Page 2

Basic filing fee	\$355
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$40	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$355

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

JAMES W. BABINEAU  
Fish & Richardson P.C.  
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Boston, MA 02110-2804

Respectfully submitted,



James W. Babineau  
Reg. No. 42,276  
Enclosures  
JWB/rml  
20265182.doc

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	John H. Westerbeke
Title	CONTROLLING EXHAUST TEMPERATURES
Atty Docket Number	00637-025001

I hereby certify that the invention disclosed in the attached application **has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.** I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 22, 2001

Date



Signature

James W. Babineau

Typed or printed name

This request must be signed in compliance with 38 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**